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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,859	01/15/2002	Mikael Johansson	8194-583	5132
20792	7590	08/09/2006	EXAMINER	
MYERS BIGEL SIBLEY & SAJOVEC				PHAM, BRENDA H
PO BOX 37428				ART UNIT
RALEIGH, NC 27627				PAPER NUMBER
				2616

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/047,859	JOHANSSON ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Brenda Pham	2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 25 May 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,3-13,15-20 and 22-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,3-13,15-20 and 22-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/25/06.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

1. Claims 1, 3-13, 15-20, 22-26 currently pending.

### ***Claim Objections***

2. Claim 8 is objected to because of the following informalities: claim 8, line 6 "configured to" should be deleted from the claim. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 5-6, 8-9, 11, 13, 16, 18, 20, 23 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by AOKI (US 5,983,090).

Regarding claims 1, 8-9, 13, 18, 20, 25, AOKI discloses a method of configuring a wireless base station of a wireless mobile data communications system, the method comprising (referring to figure 1 and 10): determining a port number/Internet address to be assigned to the wireless base station (service provider (SP) determining an Internet address (IP1) to be assigned to the wireless base station, see step ADDRESS IP1 ASSIGNED of figure 10, column 8, lines 1-5); communicating a datagram including the assigned port number and/or Internet address in a destination field of a header of the datagram from a controller of the wireless mobile data communications system to the

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wireless base station via a backbone network of the wireless mobile data communications system (figure 1 shows service provider assigned IP1 address to BS via public network, abstract shows the base station changes the destination address of data sent by the service provider from "IP1" for the base stations to "IP2" for the mobile stations for subsequent transfer to the mobile station); and responsive to receipt of the datagram at the wireless base station, configuring the wireless base station to accept datagrams addressed to the assigned port number/Internet address (figure 10 shows step of receiving data using IP1 address, also see abstract.)

Regarding claims 5-6, 11, 16, 23, AOKI further teach communicating the datagram according to IP.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 3, 4, 7, 10, 12, 15, 17, 19, 22, 24, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over AOKI (US 5,983,090) in view of Applicant's Admitted Prior Art.

Regarding claims 7, 12, 17, 19, 24 and 26, as explained in the rejection statement of claims 1, 13, 18, 20 and 35 (parent claims), AOKI discloses all the claim

limitations recite in parent claims. AOKI does not expressively teach wherein the wireless mobile data communications system comprises a Cellular Digital Packet Data (CDPD) system, and wherein the wireless base station comprises a Mobile Data Base Station (MDBA). The Applicant's Admitted Prior Art (figure 1, page 1) teaches this limitation.

Therefore, it would have been obvious to those having ordinary skill in the art at the time of the invention was made to implement the method of AOKI in the conventional Cellular Digital Packet Data (CDPD) communications system, such as taught in Applicant's Admitted Prior Art.

Regarding claims 3, 4, 10, 15, 22, as explained in the rejection statement of claims 1, 18, 13 and 20 (parent claims) AOKI discloses all the claim limitations recites in parent claims. AOKI does not teach communicating the routed datagram to the wireless base station via a frame relay connection between the wireless base station and the router. This limitation is taught by Applicant's Admitted Prior Art shows in figure 1.

Therefore, it would have been obvious to one having ordinary skill in the art to implement the step of communicating the datagram to the wireless base station via a frame relay connection between the wireless base station and the router via a conventional Cellular Digital Packet Data communication system, such as taught by Applicant's Admitted Prior Art.

***Response to Arguments***

7. Applicant's arguments with respect to claims 1, 3-13, 15-20, 22-26 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

July 27, 2006  
Brenda Pham



BRENDA PHAM  
PRIMARY EXAMINER